

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARL BLESSING, et al., on Behalf of Themselves and All
Others Similarly Situated,

Plaintiffs,

-against-

SIRIUS XM RADIO INC.,

Defendant.

No. 09-cv-10035 (HB)(RLE)

**DECLARATION OF JAMES J. SABELLA
IN SUPPORT OF MOTION TO REQUIRE
APPELLANTS TO POST AN APPEAL BOND**

JAMES J. SABELLA hereby declares under penalty of perjury as follows:

1. I have been a member of the Bar of this Court for over 34 years and am a director of Grant & Eisenhofer P.A. ("Grant & Eisenhofer"), Co-Class Counsel. I make this declaration in support of Plaintiffs' motion to require Appellants to post a bond on their appeal from the final judgment approving the settlement and awarding attorneys' fees and expenses.

2. Attached hereto are the following materials referred to in Plaintiffs' accompanying Memorandum:

- Exhibit 1. Sirius XM press release, available at <http://investor.siriusxm.com/releasedetail.cfm?ReleaseID=605526>
- Exhibit 2. Excerpt from Edward F. Siegel's website
- Exhibit 3. R. Meiser, *Edward Siegel is on a quest to either stop exorbitant lawyer payouts – or score some easy money*, CLEVELAND SCENE, June 4, 2008
- Exhibit 4. Notice of Appeal filed by Charles M. Thompson in *In re Currency Conversion Antitrust Litigation*, MDL No. 1409 (S.D.N.Y.)

- Exhibit 5. Memorandum of Law filed by Erlanger Law Firm in *Am. Medical Ass'n v. United Healthcare Corp.*, No. 00-cv-2800 (S.D.N.Y.)
- Exhibit 6. Excerpts from www.nytrafficticket.com
- Exhibit 7. Appellee's motion to dismiss appeal in *CLRB Hanson Industries, LLC v. Weiss & Associates, PC*, No. 09-17380 (9th Cir.)
- Exhibit 8. 2009 federal tax return for Donors Trust, Inc.
- Exhibit 9. Excerpt from the Project for Fair Representation website

Done at New York, New York this 5th day of October, 2011.

/s/ James J. Sabella

James J. Sabella